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McGREGOR W. SCOTT 1 United States Attorney BRIAN W. ENOS Assistant U.S. Attorney Federal Building, Room 3654 1130 "O" Street Fresno, California 93721 4 Telephone: (559) 498-7272(559) 498-7432Facsimile: 5 Attorneys for Defendant United States of America 6 7 UNITED STATES DISTRICT COURT 8 EASTERN DISTRICT OF CALIFORNIA 9 1:05-cv-00472 AWI LJO UVALDO VALENCIA, MARIA 10 VALENCIA, ALEJANDRO VALENCIA, JOSE VALENCIA, ABEL VALENCIA, ) STIPULATION EXTENDING 11 SOTERO VALENCIA, and GUSTAVO SCHEDULING CONFERENCE; VALENCIA, individually and as ) [PROPOSED] ORDER RE: SAME 12 successors in interest for Gracia Valencia de Viveros, 13 14 Plaintiffs, 15 FAMILY HEALTHCARE NETWORK, 16 MELANIE MURPHY, D.D.S., NOAH ALEX AGARD, D.D.S., HENRY 17 CAMILO CISNEROS, JR., D.D.S., GUADALUPE QUEZADA, D.D.S., 18 ANTONIO F. SANCHEZ, M.D., PUBLIC HEALTH SERVICE, THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, THE) 20 UNITED STATES OF AMERICA, and ) DOES 1-50, inclusive, 21 Defendants. 22 23

Pursuant to the Court's Order Setting Mandatory Scheduling Conference and Requiring the Parties to Confer Pursuant to F.R.CIV.P. 26(f), this action's scheduling conference is presently scheduled to take place on Monday, August 1, 2005.

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This date precedes, however, the deadline by which the United States must respond to plaintiffs' complaint. The United States was initially served with plaintiffs' complaint pursuant to Federal Rule of Civil Procedure 4 on or about June 11, 2005. As a result, the United States' deadline by which to respond to plaintiffs' complaint is approximately August 10, 2005.

The parties agree that this action's scheduling conference should take place after the parties have filed initial pleadings and responses to the same. Accordingly, the parties stipulate to extend the date of this action's scheduling conference from August 1, 2005 until September 26, 2005. More specifically, the parties stipulate to continue this action's scheduling conference as follows:

| -          |            | Old Date            | New Date            |
|------------|------------|---------------------|---------------------|
| Scheduling | Conference | August 1, 2005      | September 26, 2005  |
|            |            | (8:30 a.m., Ctrm 6) | (8:30 a.m., Ctrm 6) |

Based on the above, good cause exists in support of the parties' stipulated extension.

Dated: July 27, 2005. July 27, 2005

Respectfully submitted,

| LAW OFFICES OF FEDERICO | McGREGOR W. SCOTT      |
|-------------------------|------------------------|
| CASTELAN SAYRE          | United States Attorney |
|                         |                        |

/s/ Kent M. Henderson (as auth. 7/27) /s/ Brian W. Enos\_\_\_\_ KENT M. HENDERSON BRIAN W. ENOS Attorneys for Attorneys for Plaintiffs United States of America

IT IS SO ORDERED.

| <b>Dated:</b> July 28, 2005 66h44d |        | /s/ Lawrence J. O'Neill        |  |
|------------------------------------|--------|--------------------------------|--|
|                                    | 66h44d | UNITED STATES MAGISTRATE JUDGE |  |